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PERSONAL COMMINICATIONS COMMINISHOW
OFFICE OF THE SECRETARY

February 28, 2002

Ex Parte

William Caton, Acting Secretary Federal Communications Commission 445 12<sup>th</sup> St., S.W. – Portals Washington, D.C. 20554

Re: Application by Verizon-New Jersey, Inc. for Authorization to Provide In-Region InterLATA Services in State of New Jersey, Docket No. 01-347

Dear Mr. Caton:

We are providing this filing in accordance with the Commission's Rules regarding Ex Parte presentations, and pursuant to the Public Notice concerning this application.

On February 27, 2002, Martin W. Clift, Jr. and Alan M. Shoer, of Cavalier Telephone, LLC met with Alexis Johns, Brent Olson, Robert Tanner and Joshua Swift, of the Common Carrier Bureau of the Federal Communications Commission, in order to discuss the competitive impacts of Verizon's approach to billing disputes, in the context of the application of the Commission's transport compensation rules in New Jersey, and the competitive impacts raised by the UNE Non-Recurring Rates set by the New Jersey Department of Public Utilities. The Handouts distributed during our meeting are enclosed with this filing.

Please let me know if there is any other information that we may provide, or if you have any questions concerning this matter.

Respectfully Submitted,

Alin M. Shoer

Enc.

CC: Clint E. Odom, Verizon

Alexis Johns, Brent Olson, Robert Tanner, Joshua Swift, FCQ . . Copies rec'd\_

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#### Verizon's Reply Tries to Deflect Away The Problem

#### TRANSPORT-

- VZ: Just another Single POI-type complaint addressed in PA Order-para.100; -- or –
- VZ: Not a 271 problem -- Pending in the InterCarrier
   Comp NPRM

#### UNE RATES-

VZ: NRC rates TELRIC compliant

# "Single POI" Issue Tansport

GRIPs already established

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- Interconnection Agreement—Sections 4.2.2 and 4.2.3—Originating Party Pays
- PA, Kansas, citing 47 C.F.R. 51.701—Originating
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#### Serious Risk to Consumers

- \$8.8 million in dispute (\$800K in N.J)
- Interconnection Agreement in "Default"
- Second Default Notice submitted
  - Trunks shutdown
  - Network blockage
  - Cure date March 10, 2002
  - VZ Emergency Petition in DE--2/25/02

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- Will force Cavaller out of business
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#### **Action Needed**

- Deny 271 Application
- Order VZ to:
  - Comply with transport rules fairly and on same terms and conditions imposed by Verizon (pay its bills, follow dispute processes)
  - Establish new hot cut UNE process
  - Sustain current prices in the interim